

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION**

RUSSELL, et al.)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:19-cv-00226
)	(Class Action)
HARRIS COUNTY, TEXAS, et al.)	The Honorable Lee H. Rosenthal
)	U.S. District Judge
Defendants.)	
)	

**PLAINTIFFS’ REPLY IN SUPPORT OF THEIR
MOTION FOR LEAVE TO FILE A SURREPLY**

Plaintiffs filed a motion seeking leave to file a surreply—which was unopposed by Harris County, the Sheriff, and four of the Felony Judges—without detailing their substantive arguments on surreply because doing so could have been seen as improperly putting those arguments in front of the Court without first obtaining leave to do so. The 19 Felony Judges, however, have opposed Plaintiffs’ surreply, arguing: “The District Judges only ask this Court to do what it has previously and hold Plaintiffs to its standard of filing a proposed surreply that identifies the new arguments that were raised by the District Judges.” Dkt. 296 at 4. The State Intervenor’s adopt the 19 Felony Judges’ arguments. Dkt. 299 at 2.

Because the 19 Felony Judges and the State prefer Plaintiffs to put their substantive surreply arguments before the Court in seeking leave to file them, the Plaintiffs hereby withdraw their original motion for leave (Dkt. 295). Instead, Plaintiffs will re-file on Friday a new motion for leave, to which they will attach their proposed surreply.

Date: September 29, 2020

Respectfully Submitted,

/s/ Alec Karakatsanis

/s/ Neal S. Manne

/s/ Elizabeth Rossi

Alec George Karakatsanis (*Pro Hac Vice*)
alec@civilrightscorps.org
Elizabeth Rossi (*Pro Hac Vice*)
elizabeth@civilrightscorps.org
Civil Rights Corps
1601 Connecticut Ave NW, Suite 800
Washington, DC 20009
Telephone: (202) 681-2721

/s/ Liyah Brown

Mimi Marziani (*Pro Hac Vice*)
Texas State Bar No. 24091906
mimi@texascivilrightsproject.org
Liyah Brown (*Pro Hac Vice*)
D.C. Bar No. 500149
liyah@texascivilrightsproject.org
Peter Steffensen
Texas State Bar No. 24106464
Southern District No. 3327006
peter@texascivilrightsproject.org
Texas Civil Rights Project
2202 Alabama Street
Houston, TX 77004
Telephone: 512-474-5073 ext. 118

Neal S. Manne

Texas Bar No. 12937980
nmanne@susmangodfrey.com
Lexie G. White
Texas Bar No. 24048876
lwhite@susmangodfrey.com
Joseph S. Grinstein
Texas Bar No. 24002188
jgrinstein@susmangodfrey.com
SUSMAN GODFREY L.L.P.
1000 Louisiana Street, Suite 5100
Houston, Texas 77002
Telephone: (713) 651-9366
Facsimile: (713) 654-6666

/s/ Michael Gervais

Michael Gervais (*Pro Hac Vice*)
mgervais@susmangodfrey.com
SUSMAN GODFREY L.L.P.
1900 Avenue of the Stars, #1400
Los Angeles, CA 90067
Telephone: (310) 789-3100

CERTIFICATE OF SERVICE

I certify that on September 29, 2020 a true and correct copy of this document properly was served on counsel of record via electronic filing in accordance with the USDC, Southern District of Texas Procedures for Electronic Filing.

/s/ Elizabeth Rossi

Elizabeth Rossi